

Ex. 6

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

JENNIFER ARTESI

VS NO: 1:19-CV-00214-SM

DEMOULAS SUPER MARKETS, INC., d/b/a MARKET BASKET
and DENNIS LABATTE

DEPOSITION OF DAVID JAMES

This deposition taken by agreement of counsel
at the New Hampshire Bar Association, 2 Pillsbury
Street, Concord, New Hampshire, on
February 24, 2020, commencing at 10:01 a.m.

1 Q Who was filling in for her at that time?

2 A We had part-timers, pretty much just the
3 part-timers.

4 Q And so did you get another extra part-timer
5 when she was out starting December '16?

6 A No.

7 Q Okay. Was there someone who was already an
8 extra part-timer from the summer of '16 when
9 she had been out?

10 A I wasn't there at that time.

11 Q So you don't know who was new or not new in
12 say June of '16?

13 A Correct.

14 Q But you were hired in July of '16?

15 A Right.

16 Q As a part-timer?

17 A No, as a full-timer.

18 Q So did your job duties ever include the
19 wrapping aspects?

20 A No.

21 Q And to this day, have you wrapped
22 occasionally?

23 A Yes. Yes.

1 A No.

2 Q Did you ever find out whether or not she had
3 been in rehab?

4 A No.

5 Q Have you ever known of employees to get fired
6 for missing work if they called or provided a
7 doctor's note?

8 A No.

9 Q So what is your understanding of what the term
10 job abandonment is?

11 A Left and never came back.

12 Q Never called, never wrote, something like
13 that?

14 A Yes, I mean abandonment.

15 Q Sometimes we get --

16 A It is a term.

17 Q Sometimes we get into these technical
18 conversations.

19 MS. FEENEY: We lawyers can be real
20 techy. What does job abandonment mean?

21 Q So job abandonment means someone doesn't show
22 up, doesn't call, doesn't provide a doctor's
23 note?

1 A Yes.

2 Q And they are gone and no one knows where they
3 are, correct?

4 A Yes.

5 Q Is it your experience at Market Basket that if
6 someone stays in touch with a store, provides
7 notes, that they would be welcomed back?

8 MS. FEENEY: I will object to your
9 form.

10 Q You can answer.

11 A Yes.

12 Q So you are the assistant produce manager now,
13 and who is the produce manager?

14 A Nathan Jean.

15 Q And how long has he been the produce manager?
16 Since Mandy left?

17 A No. October of 2019.

18 Q And who was between him and Mandy?

19 A Jason Mansur.

20 Q M-A-N-S-U-R, spelling?

21 A Yes.

22 MS. JOHNSON: That's all I have.

23 (TIME NOTED: 10:18 a.m.)